

**Green, Angela**

---

**From:** Jennifer Harchick [jharchick@bbpatlaw.com]  
**Sent:** Wednesday, February 11, 2009 9:29 AM  
**To:** Green, Angela  
**Subject:** U.S. Plant Patent Nos. PP15,862; PP15,077; PP12,133  
**Attachments:** PP15,862-Papers Re Petition Under 1.324 To Correct Inventorship.pdf; PP15,077-Papers Re Petition Under 1.324 To Correct Inventorship.pdf; PP12,133-Papers Re Petition Under 1.324 To Correct Inventorship.pdf

Ms. Green,

In accordance with our telephone conference yesterday, attached are (1) the Petitions Under 37 CFR 1.324 To Correct Inventorship that were filed in the USPTO on February 5, 2008, (2) the USPTO date stamped post cards, and (3) the Notices of Recordation of Assignment Documents for each of U.S. Plant Patent Nos. PP15,862; PP15,077; and PP12,133.

Please let me know if you need any further information.

Please confirm receipt of this email and attachments.

Best regards,

Jennifer A. Harchick  
703-684-6885  
[jharchick@bbpatlaw.com](mailto:jharchick@bbpatlaw.com)  
Breiner & Breiner, L.L.C.  
115 North Henry Street  
Alexandria, Virginia 22314  
Fax: 703-684-8206

This e-mail is confidential and may well be legally privileged. If you have received it in error, you are on notice of its status. Please notify us immediately by reply e-mail and then delete this message from your system. Please do not copy it or use it for any purposes, or disclose its contents to any other person. To do so could violate state and Federal privacy laws. Thank you for your cooperation. Please contact Chris Breiner at 703-684-6885 or e-mail [cbreiner@bbpatlaw.com](mailto:cbreiner@bbpatlaw.com) if you need assistance.

2/11/09

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of

ROBERT EDWARD LEE

U.S. Plant Patent No. PP15,862 P2

Issued: July 12, 2005

AZALEA PLANT NAMED 'ROBLED'

-----  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Alexandria, Virginia  
February 5, 2008

PETITION UNDER 37 CFR § 1.324  
TO CORRECT INVENTORSHIP

Dear Sir:

Under the provisions of 37 CFR § 1.324, assignees Plant Development Services, Inc. and Robert Edward Lee hereby request correction of the inventorship in the captioned Patent by deleting the currently named inventor Robert Edward Lee and adding as inventor Flint Jerome Johnson.

The assignees petition to delete Robert Edward Lee as inventor and add as inventor Flint Jerome Johnson in the captioned Patent. It has been determined that Flint Jerome Johnson is the inventor as to the claimed subject matter and not Robert Edward Lee because Flint Jerome Johnson was the person who discovered the new and distinct sport variety

plant claimed in the captioned Patent and recognized the unique characteristics thereof. The error in the inventorship occurred without deceptive intent by the currently named inventor Robert Edward Lee and inventor Flint Jerome Johnson. Attached hereto is a "Statement Of Flint Jerome Johnson," the inventor to be added, to this effect. Also attached hereto is a "Statement Of Robert Edward Lee," the inventor to be deleted, that he agrees with the change in inventorship.

The captioned Patent was originally partially assigned by Robert Edward Lee (50%) to Plant Development Services, Inc. See Reel 015095, Frame 0134. The captioned Patent is concurrently being assigned by Flint Jerome Johnson to Plant Development Services, Inc. (50%) and Robert Edward Lee (50%). Attached hereto are (1) a "Statement Under 37 CFR § 3.73(b)" establishing ownership of the assignees, Plant Development Services, Inc. and Robert Edward Lee, and (2) a "Statement Of Assignees" agreeing to the change of inventorship in the captioned Patent.

Also attached hereto is a Power of Attorney by the assignees with PTO Form 123.

In accordance with the provisions of 37 CFR § 1.20(b), the assignees are submitting the petition fee of \$130.00. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any

PDSI/U.S. Plant Patent No. PP15,862 P2

overpayment, to Deposit Account No. 02-3690.

Grant of the Petition is respectfully requested.

Respectfully submitted,

ROBERT EDWARD LEE and  
PLANT DEVELOPMENT SERVICES, INC.

By \_\_\_\_\_  
Theodore A. Breiner, Attorney  
Registration No. 32,103  
BREINER & BREINER, L.L.C.  
P.O. Box 320160  
Alexandria, Virginia 22320-0160

Telephone: (703) 684-6885

Attachments - Statement Of Flint Jerome Johnson (Inventor To  
Be Added)  
- Statement Of Robert Edward Lee (Currently  
Named Inventor)  
- Statement Of Assignees (2)  
- Statement Under 37 CFR § 3.73(b) w/Assignment (2)  
- Power of Attorney w/ PTO Form 123 (2)  
- \$130 Petition Fee (Check)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of

ROBERT EDWARD LEE

U.S. Plant Patent No. PP15,862 P2

Issued: July 12, 2005

AZALEA PLANT NAMED 'ROBLED'

- - - - -  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

STATEMENT OF FLINT JEROME JOHNSON

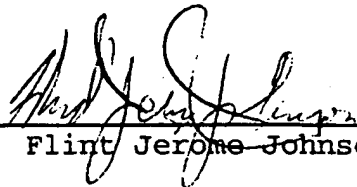
Dear Sir:

I, Flint Jerome Johnson, declare -

1. That I reside at 3790 Lakefront Drive, Mobile, Alabama 36695;
2. That I am making this Statement in support of the Petition Under 37 CFR § 1.324 To Correct Inventorship with respect to the captioned Patent, U.S. Plant Patent No. PP15,862 P2;
3. That I am being added as the inventor in the captioned Patent and that my not being previously named as the inventor in the captioned Patent occurred through error without any deceptive intent on my part;
4. That I am being added as the inventor in the captioned Patent because I was the person who discovered the new and distinct sport variety plant in the captioned

Patent and I recognized the unique characteristics thereof;

5. That I have read the captioned Patent and I believe that the Patent truly and correctly describes my invention; and
6. That I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the captioned Patent.

  
\_\_\_\_\_  
Flint Jerome Johnson

Date: 2-4-08

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of

ROBERT EDWARD LEE

U.S. Plant Patent No. PP15,862 P2

Issued: July 12, 2005

AZALEA PLANT NAMED 'ROBLED'

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Commissioner for Patents  
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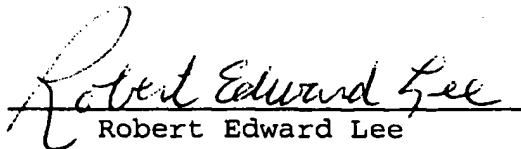
STATEMENT OF ROBERT EDWARD LEE

Dear Sir:

I, Robert Edward Lee, declare --

1. That I am currently the sole named inventor in U.S. Plant Patent No. PP15,862 P2;
2. That I am making this Statement in support of the Petition Under 37 CFR § 1.324 To Correct Inventorship with respect to the captioned Patent;
3. That I have no disagreement with deleting me as the inventor of the captioned Patent and adding Flint Jerome Johnson as the inventor in the captioned Patent;
4. That my being named as the inventor in the captioned Patent occurred through error without any deceptive intent on my part; and
5. That I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and

further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the captioned Patent.

  
Robert Edward Lee

Date: 2/1/2008



PDSI/jsl

"PATENT"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of

ROBERT EDWARD LEE

U.S. Plant Patent No. PP15,862 P2

Issued: July 12, 2005

AZALEA PLANT NAMED 'ROBLED'

- - - - -  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

STATEMENT OF ASSIGNEES

Dear Sir:

At the time of filing the application for the captioned Patent, Plant Development Services, Inc. had an ownership interest of 50% of U.S. Plant Patent No. PP15,862 P2 issued July 12, 2005 due to an assignment (50%) from the currently named inventor Robert Edward Lee. At the time of submitting the Petition Under 37 CFR § 1.324 To Correct Inventorship of the captioned Patent, Plant Development Services, Inc. and Robert Edward Lee each have a 50% ownership interest of U.S. Plant Patent No. PP15,862 P2 issued July 12, 2005 due to an assignment from inventor Flint Jerome Johnson. The ownership of the captioned Patent is shown in the concurrently submitted Statement Under 37 CFR § 3.73(b).

This statement is being made in support of the  
Petition Under 37 CFR § 1.324 To Correct Inventorship of the  
captioned Patent.

Plant Development Services, Inc., through the  
below named authorized representative, and Robert Edward Lee  
agree to changing the inventorship of the captioned Patent  
from Robert Edward Lee to Flint Jerome Johnson.

PLANT DEVELOPMENT SERVICES, INC.

By: 

Name: Gregory L. Smith, Jr.  
Title: President

Date: 2/4/2008

ROBERT EDWARD LEE

By: \_\_\_\_\_

Robert Edward Lee

Date: \_\_\_\_\_

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of

ROBERT EDWARD LEE

U.S. Plant Patent No. PP15,862 P2

Issued: July 12, 2005

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PDSI/U.S. Plant Patent No. PP15,862 P2

This statement is being made in support of the  
Petition Under 37 CFR § 1.324 To Correct Inventorship of the  
captioned Patent.

Plant Development Services, Inc., through the  
below named authorized representative, and Robert Edward Lee  
agree to changing the inventorship of the captioned Patent  
from Robert Edward Lee to Flint Jerome Johnson.

PLANT DEVELOPMENT SERVICES, INC.

By: \_\_\_\_\_  
Name: Gregory L. Smith, Jr.  
Title: President

Date: \_\_\_\_\_

ROBERT EDWARD LEE

By: Robert Edward Lee  
Robert Edward Lee

Date: 2/1/2008

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Patent Owner: Robert Edward Lee and Plant Development Services, Inc.Patent No.: PP15,862 P2 Issue Date: July 12, 2005Entitled: Azalea Plant Named 'Robled'Robert Edward Lee and Plant Development Services, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

state that they are:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☒ the assignees of the entire right, title and interest.  
The extent (by percentage) of each ownership interest is 50 %

in the patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent identified above, to the current assignees as follows:

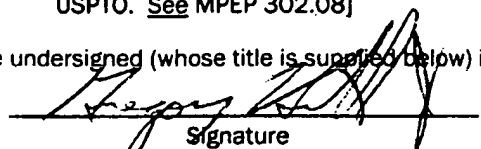
1. From: Robert Edward Lee (50%) To: Plant Development Services, Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel 015095, Frame 0134, or for which a copy thereof is attached.
2. From: Flint Jerome Johnson (100%) To: Plant Development Services, Inc. and Robert Edward Lee  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

- [X] As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignees.

  
Signature  
Gregory L. Smith, Jr.  
Printed or Typed Name  
President  
Title

Date 2/4/2008

\_\_\_\_\_  
Signature  
Robert Edward Lee  
Printed or Typed Name

Date \_\_\_\_\_

The collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

## A S S I G N M E N T

WHEREAS, I, FLINT JEROME JOHNSON, a citizen of the United States, residing at 3790 Lakefront Drive, Mobile, Alabama 36695, am the inventor of the plant disclosed and claimed in U.S. Plant Patent No. PP15,862 P2, issued July 12, 2005, and entitled "AZALEA PLANT NAMED 'ROBLED'"; and

WHEREAS, PLANT DEVELOPMENT SERVICES, INC., a corporation organized under the laws of Alabama and having a place of business at 17325 County Road 68, Loxley, Alabama 36551, and ROBERT EDWARD LEE, a citizen of the United States, residing at 52063 Ridge Crest Drive, Independence, Louisiana 70443, desire to acquire the entire right, title and interest in and to said U.S. Plant Patent No. PP15,862 P2 as 50% owners thereof.

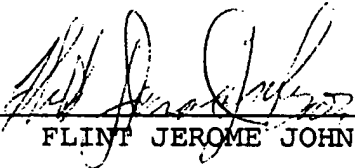
NOW, THEREFORE, for One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I, FLINT JEROME JOHNSON, do hereby sell, assign, transfer, and set over unto PLANT DEVELOPMENT SERVICES, INC. and ROBERT EDWARD LEE, their legal representatives, successors, and assigns, 50% to each of them of the entire right, title and interest in and to U.S. Plant Patent No. PP15,862 P2 as the same would have been held by me had this assignment not been made, including any and all rights of action based thereon, including the right to sue and recover for past, present or future infringement.

UPON SAID CONSIDERATION, I do hereby agree with the said assignees that I will not execute any writing or do any act whatsoever conflicting with these presents, and that I will, at any time upon request, without further or additional consideration, but at the expense of the said assignees, execute such additional assignments and other writings and do such additional acts as said assignees may deem necessary or desirable to perfect the assignees'

U.S. Plant Patent No. PP15,862 P2

enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuation, continuation-in-part, reissue or reexamination Letters Patent of the United States on said inventions, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of, the assigns and legal representatives of assignor and assignees.

Date: 2-4-08

  
FLINT JEROME JOHNSON

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Patent Owner: Robert Edward Lee and Plant Development Services, Inc.Patent No.: PP15,862 P2 Issue Date: July 12, 2005Entitled: Azalea Plant Named 'Robled'Robert Edward Lee and Plant Development Services, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

state that they are:

1. ☐ the assignee of the entire right, title, and interest; or2. ☒ the assignees of the entire right, title and interest.The extent (by percentage) of each ownership interest is 50 %

in the patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent identified above, to the current assignees as follows:1. From: Robert Edward Lee (50%) To: Plant Development Services, Inc.The document was recorded in the United States Patent and Trademark Office at Reel 015095, Frame 0134, or for which a copy thereof is attached.2. From: Flint Jerome Johnson (100%) To: Plant Development Services, Inc. and Robert Edward LeeThe document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.**[NOTE:** A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignees.

Signature

Gregory L. Smith, Jr.

Printed or Typed Name

President

Title

Date \_\_\_\_\_

Signature

Robert Edward Lee

Printed or Typed Name

Date 2/1/2008

The collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.



## A S S I G N M E N T

WHEREAS, I, FLINT JEROME JOHNSON, a citizen of the United States, residing at 3790 Lakefront Drive, Mobile, Alabama 36695, am the inventor of the plant disclosed and claimed in U.S. Plant Patent No. PP15,862 P2, issued July 12, 2005, and entitled "AZALEA PLANT NAMED 'ROBLED'"; and

WHEREAS, PLANT DEVELOPMENT SERVICES, INC., a corporation organized under the laws of Alabama and having a place of business at 17325 County Road 68, Loxley, Alabama 36551, and ROBERT EDWARD LEE, a citizen of the United States, residing at 52063 Ridge Crest Drive, Independence, Louisiana 70443, desire to acquire the entire right, title and interest in and to said U.S. Plant Patent No. PP15,862 P2 as 50% owners thereof.

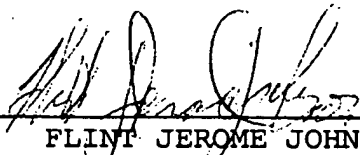
NOW, THEREFORE, for One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I, FLINT JEROME JOHNSON, do hereby sell, assign, transfer, and set over unto PLANT DEVELOPMENT SERVICES, INC. and ROBERT EDWARD LEE, their legal representatives, successors, and assigns, 50% to each of them of the entire right, title and interest in and to U.S. Plant Patent No. PP15,862 P2 as the same would have been held by me had this assignment not been made, including any and all rights of action based thereon, including the right to sue and recover for past, present or future infringement.

UPON SAID CONSIDERATION, I do hereby agree with the said assignees that I will not execute any writing or do any act whatsoever conflicting with these presents, and that I will, at any time upon request, without further or additional consideration, but at the expense of the said assignees, execute such additional assignments and other writings and do such additional acts as said assignees may deem necessary or desirable to perfect the assignees'

U.S. Plant Patent No. PP15,862 P2

enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuation, continuation-in-part, reissue or reexamination Letters Patent of the United States on said inventions, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of, the assigns and legal representatives of assignor and assignees.

Date: 2-4-05

  
FLINT JEROME JOHNSON

PDSI

"PATENT"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of

ROBERT EDWARD LEE

U.S. Plant Patent No. PP15,862 P2

Issued: July 12, 2005

AZALEA PLANT NAMED 'ROBLED'

POWER OF ATTORNEY

TO THE HON. COMMISSIONER OF PATENTS AND TRADEMARKS

Dear Sir:

You are requested to recognize THEODORE A. BREINER (Registration No. 32,103); MARY J. BREINER (Registration No. 33,161), and JENNIFER A. HARCHICK (Registration No. 52,139), as Principal Attorneys with full power of substitution and revocation to transact all business in the Patent and Trademark Office connected with the captioned patent and any application based thereon or patent granted upon such application. All other powers are revoked. Please address all future correspondence to

Breiner & Breiner, L.L.C.  
P.O. Box 320160  
Alexandria, Virginia 22320-0160

in conformance with PTO Form 123 as attached.

The undersigned are authorized representatives of the assignees of the entire interest of the invention disclosed and claimed in the captioned patent as shown in the concurrently filed Statement Under 37 CFR 1.73(b).

Date: 2/4/2008

By Gregory L. Smith, Jr.  
PLANT DEVELOPMENT SERVICES, INC.  
Name: Gregory L. Smith, Jr.  
Title: President

Date: \_\_\_\_\_

By \_\_\_\_\_  
ROBERT EDWARD LEE

Attachment - PTO Form 123

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>CHANGE OF CORRESPONDENCE ADDRESS</b> <i>Patent</i>  Address to: Mail Stop Post Issue Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Patent Number	PP15,862 P2
	Issue Date	July 12, 2005
	Application Number	10/799,640
	Filing Date	March 15, 2004
	First Named Inventor	Robert Edward LEE
	Attorney Docket Number	PDSI

Please change the Correspondence Address for the above-identified patent to:

☒ The address associated with  
Customer Number:

006858

OR

☐ Firm or  
Individual Name

Address

City

State

Zip

Country

Telephone

Email

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

This form will not affect any "fee address" provided for the above-identified patent. To change a "fee address" use the "Fee Address Indication Form" (PTO/SB/47).

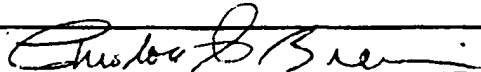
I am the:

☐ Patentee

☐ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ Attorney or agent of record. Registration Number 32,103

Signature

Typed or  
Printed Name

Theodore A. Breiner

Date January 31, 2008

Telephone (703) 684-6885

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Post Issue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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\*\*\* FAX TO USPTO SCANNING DEPARTMENT: (571) 273-8300 \*\*\*

PDSI

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In re Patent of

ROBERT EDWARD LEE

U.S. Plant Patent No. PP15,862 P2

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Alexandria, Virginia 22320-0160

in conformance with PTO Form 123 as attached.

The undersigned are authorized representatives of the assignees of the entire interest of the invention disclosed and claimed in the captioned patent as shown in the concurrently filed Statement Under 37 CFR 3.73(b).

Date: \_\_\_\_\_

By \_\_\_\_\_  
PLANT DEVELOPMENT SERVICES, INC.  
Name: Gregory L. Smith, Jr.  
Title: President

Date: 2/1/2008

By Robert Edward Lee  
ROBERT EDWARD LEE

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	Issue Date	July 12, 2005
	Application Number	10/799,640
	Filing Date	March 15, 2004
	First Named Inventor	Robert Edward LEE
	Attorney Docket Number	PDSI

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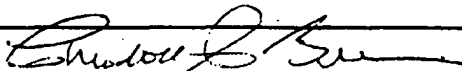
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- ☒ Attorney or agent of record. Registration Number 32,103

Signature



Typed or  
Printed Name

Theodore A. Breiner

Date

January 31, 2008

Telephone

(703) 684-6885

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

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*JS*  
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FILING OF: Petition Under 37 CFR § 1.324 To Correct  
Inventorship w/attachments (Statement of Flint  
Jerome Johnson; Statement of Robert Edward Lee;  
Statement of Assignees (2); Statement Under 37 CFR §  
3.73(b) w/Assignment (2); Power of Attorney w/PTO  
Form 123 (2); \$130.00 Petition Fee) (Check)

IN THE PATENT OF

ROBERT EDWARD LEE

(USPN15,862P2/PDSI)

U.S. PATENT NO. PP15,862 P2

TITLE AZALEA PLANT NAMED 'ROBLED'

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## ASSIGNOR:

JOHNSON, FLINT JEROME

DOC DATE: 02/04/2008

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PLANT DEVELOPMENT SERVICES, INC  
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SERIAL NUMBER: 10799640

FILING DATE: 03/15/2004

PATENT NUMBER: PP15862

ISSUE DATE: 07/12/2005

TITLE: AZALEA PLANT NAMED 'ROBLED'

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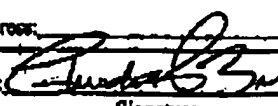
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U.S. Plant Patent No. PP15,862 P2 Issued July 12, 2005

2. Name and address of receiving party(ies) (CONTINUED)

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